

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

IN THE MATTER OF THE SEARCH OF
1352 E. Hudson St. Columbus, OH 43211

Case No. Enter Case #

2:22-mj-536

Filed Under Seal

**AFFIDAVIT IN SUPPORT OF
AN APPLICATION FOR A SEARCH WARRANT**

I, Cole Benner, being first duly sworn, hereby depose and state as follows:

I. INTRODUCTION AND BACKGROUND

1. I make this affidavit in support of an application for a search warrant under Federal Rule of Criminal Procedure 41 to authorize law enforcement to search the premises known as 1352 E. Hudson St. Columbus, OH 43211 ("SUBJECT PREMISES"), further described in Attachment A, for the items described in Attachment B.

2. I am a Special Agent with the Bureau of Alcohol, Tobacco, Firearm and Explosives ("ATF"), and have been since March of 2020. I am currently assigned to the Columbus, Ohio Field Office as a member of the Crime Gun Enforcement Team (CGET) Task Force. As part of my duties as an ATF Special Agent, I investigate criminal violations relating to federal firearms offenses, including the unlawful possession of firearms and ammunition by individuals who have been convicted in any court, of a crime punishable by imprisonment for a term exceeding one year. I have participated in numerous investigations of criminal violations relating to illegal firearms possession, firearms trafficking and shooting investigations. I am familiar with, and have utilized multiple investigative methods, including electronic surveillance, visual surveillance, search warrants, and the utilization of GPS/E-911 data.

3. Pursuant to 18 U.S.C. § 3051, I am empowered to enforce criminal laws of the United States. As result of my training and experience, I am familiar with federal laws including 18 U.S.C. § 922(g)(1), which states: It shall be unlawful for any person who has been convicted in any court of, a crime punishable by imprisonment for a term exceeding one year, to ship or transport in interstate or foreign commerce, or possess in or affecting commerce, any firearm or ammunition; or to receive any firearm or ammunition which has been shipped or transported in interstate or foreign commerce.

4. I know based on my training and experience that individuals who possess firearm and ammunition often possess other items commonly used or acquired in connection with the possession of firearms and ammunition. Some of these items include, but are not limited to, other firearms, firearm parts, additional ammunition, firearm receipts, firearms brochures or owner's manuals, records of sale or acquisition of firearms, firearms magazines, and holsters.

5. I know that individuals who possess firearms and ammunition as felons or otherwise, often store those firearms and ammunition in their homes or cars, so that the firearms and ammunition are easily accessible. I also know that firearms are durable and non-perishable goods, which can be expected to remain in the individual's possession for extended periods of time.

6. I know that individuals who possess firearms and ammunition frequently utilize cell phones to take photographs and videos of themselves in possession of firearms and ammunition. These same individuals also utilize cellphones, to include calls, texts, and social media applications, to arrange the purchase and sale of firearm, ammunition, and/or accessories.

7. I also know, from my training and experience that "cell phones and the services they provide are 'such a pervasive and insistent part of daily life' that carrying one is indispensable

to participation in modern society.” *Carpenter v. United States*, 138 S. Ct. 2206, 2220 (citing *Riley v. California*, 573 U. S., at ___, 134 S. Ct. 2473, 2484 (2014))

9. The facts in this affidavit come from my personal observations, my training and experience, and information obtained from other agents and witnesses. This affidavit is intended to show merely that there is sufficient probable cause for the requested warrant and does not set forth all my knowledge about this matter.

10. Based on the facts set forth in this affidavit, there is probable cause to believe that on or about September 10, 2021, DEQUETA JORDAN, a convicted felon, did knowingly and intentionally possess a firearm and ammunition which traveled in and affected interstate commerce, in violation 18 U.S.C. § 922(g)(1). Furthermore, there is also probable cause to search the **SUBJECT PREMISES**, located at 1352 E. Hudson St. Columbus, Ohio 43211 for evidence, instrumentalities, or fruits of these crimes as further described in Attachment B.

II. PROBABLE CAUSE

1. I queried the Ohio Law Enforcement Gateway (OHLEG) database regarding Dequeta JORDAN and found the following image of JORDAN dated May 20, 2022.



2. According to a database of criminal records and the Licking County Common Pleas Clerk of Court Website, JORDAN has been convicted of the following felony:

<u>Case #</u>	<u>Charge</u>
2012CR00420 (Licking County)	F2 Burglary

A. NIBIN Lead

3. On May 27, 2022, I reviewed a law-enforcement lead produced by the National Integrated Ballistic Information Network (NIBIN). Based on my training and experience, law enforcement agencies, including the Columbus Police Department (CPD), routinely provide ballistics evidence—such as expended shell casings collected from shooting scenes and from test fires of recovered firearms—to NIBIN. NIBIN in turn uses ballistic imaging technology to link these cartridges to one another or to a specific firearm. According to the NIBIN lead I reviewed, seven (7) recent shooting incidents in Columbus were linked by expended 9mm shell casings found at the scene of each incident. The shell casings are believed to have been fired by the same 9mm pistol, which law enforcement has not yet located.

4. The first shooting incident occurred on August 17, 2021. Officers were dispatched to 834 Greenfield Dr. Columbus, OH 4322. Upon arrival Officers located a male suffering from a gunshot wound. The male succumbed to his injuries and the incident was declared a homicide. Shell casings from five (5) different firearms were located at the scene, including the 9mm firearm in question. The shell casings are believed to have been fired by the same 9mm pistol, which law enforcement has not yet located.

5. The second incident occurred on September 2, 2021. CPD Officers were dispatched to a gunshot detection at 395 N. Garfield Ave. Columbus, OH 43203. Officers

located four (4) spent 9mm shell casings in the middle of the street. The shell casings are believed to have been fired by the same 9mm pistol, which law enforcement has not yet located.

6. The third incident occurred on September 10, 2021. CPD Officers were dispatched to a Shooting at Occupied Building/Vehicle at 521 Sawyer Blvd. Columbus, OH 43203. Officers located a building and numerous vehicles that had been struck by gunfire. While checking the area Officers located a vehicle that was surrounded by expended shell casings and had a casing inside the vehicle on the floorboard. Officers ran the plate of this vehicle (OHLP: M476941) which came back to Dequeta JORDAN. Officers located JORDAN in the parking lot and he was detained. JORDAN told Officers that a male whose name was "irrelevant" fired shots at him. JORDAN stated his girlfriend, who JORDAN left unnamed, returned fire at the male. JORDAN refused to cooperate with the Officers investigation. The 9mm shell casings were recovered by Officers. The shell casings are believed to have been fired by the same 9mm pistol, which law enforcement has not yet located.

7. The fourth incident occurred on April 15, 2022. CPD Officers were dispatched to 1837 Marston Rd. Columbus, OH 43219 on a shot spotter call. Officers arrived on scene and spoke to the victim who stated that her bedroom window had been struck by a bullet. Officers located 9mm shell casings in the roadway in front of the residence. The shell casings are believed to have been fired by the same 9mm pistol, which law enforcement has not yet located.

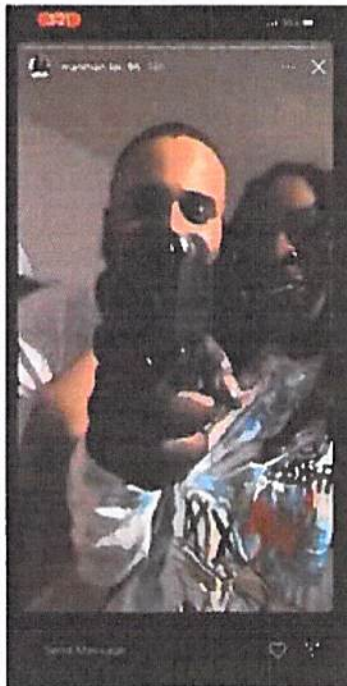
8. The fifth incident occurred on April 24, 2022. CPD Officers were dispatched to 2826 Stonehenge Dr. Columbus, OH 43224 on a call involving shots fired into vehicles parked in the area, all of which were unoccupied. Six (6) vehicles were struck with gunfire. Officers collected multiple 9mm shell casings at the scene. The shell casings are believed to have been fired by the same 9mm pistol, which law enforcement has not yet located.

9. The sixth incident occurred on April 24, 2022. CPD Officers were contacted by the Gahanna Police Department (GPD) and notified that they had a victim, who stated his vehicle was shot at and struck in the driveway of 2444 Marcia Dr. Columbus, OH 43211. CPD Assault squad detectives responded to the scene and collected 9mm shell casings. The shell casings are believed to have been fired by the same 9mm pistol, which law enforcement has not yet located.

10. The seventh and final incident occurred on April 25, 2022. CPD Officers responded to 2751 Glenshire Dr. Columbus, OH 43219 on a report of a natural gas leak. When Columbus Fire Department (CFD) personnel made entry into the residence they observed the residence had been struck by gunfire. Officers located multiple 9mm shell casings in the street and sidewalk in front of the residence. The shell casings are believed to have been fired by the same 9mm pistol, which law enforcement has not yet located.

B. Social Media Review

11. On May 26, 2022, I was conducting a review of an open-source Instagram account. I reviewed JORDAN's Instagram (User ID: @manman.loc.96) "story." I believe this account to be controlled and utilized by JORDAN as it contains numerous photographs of JORDAN. I observed Dequeta JORDAN, and his brother Dmarco JORDAN (B/M DOB: XX/XX/1997) in a video with additional unidentified subjects. I observed Dequeta JORDAN pull out what appears to be a Glock pistol and point it at the camera.



Instagram Story Video – May 26, 2022.

12. I know that Glock pistols can be obtained as 9mm. I know based on my training and experience that Glock firearms are not manufactured in the state of Ohio. The pistol in JORDAN's hand is affixed with what appears to be a laser sight.

13. I continued to review JORDAN's Instagram account and observed a photograph posted on November 7, 2020. In this photograph JORDAN is posing with two unknown subjects. On the floor by JORDAN is a large amount of what appears to be U.S. currency and approximately three (3) firearms. JORDAN's post says "coolin with gang."



Instagram Post Photo – November 7, 2020.

14. On June 14, 2022, I received a Search Warrant for JORDAN's Instagram.

15. On April 11, 2021, JORDAN engaged in a conversation with Instagram

Username: @selfmadee_tee. This conversation involved JORDAN speaking about purchasing a firearm at a gun show.

-@selfmadee_tee: can I buy that glick

-JORDAN: I can't do it gun show coming up

-@selfmadee_tee: Ik bruh I' just not tryna wait longer

-JORDAN: Hell yea I can't they charged me a racc for it

-@selfmadee_tee: who the gun show

-JORDAN: I think this weekend coming up

-@selfmadee_tee: No the gun show ain't til the 24th I'm saying who made you pay that much for that glizzy the gunshow.?

-JORDAN: yes

16. Based on my training and experience I know the terms “glick” and “glizzy” are used to describe a Glock firearm. I know the term “racc” is used to describe \$1,000.00 (one thousand dollars).

17. On April 26, 2021, JORDAN posted an Instagram “story” showing JORDAN holding what appears to be four (4) pistols.



18. On May 7, 2021, JORDAN engaged in a conversation with Instagram Username: @taydoeuswagg. This conversation involved JORDAN and the other subject speaking about trading a firearm in exchange for codeine.

-JORDAN: You still got?

-JORDAN: I'll buy one today

-taydoeuswagg: Yea I got one left

-JORDAN: I want it

- taydoeuswagg: Ok wya

- taydoeuswagg: An ima keep it g cuz I popped this to let a nigga see it's dat purp you feel me but it's untouched on my kids just letting you kno, nigga I had 10 yesterday

-JORDAN: Dam an getting a lineup now up north
-JORDAN: So how much again
- taydoeuswagg: 600 or one of dem gleezys cuz
- taydoeuswagg: I'm in traffic lemme kno
-JORDAN: Lol glizzys cost a racc

19. Based on my training and experience I know the terms "gleezy" and "glizzy" are used to describe a Glock firearm. I know "purp" is a term used to describe codeine.

20. On July 9, 2021, JORDAN posted an Instagram "story" where JORDAN has what appears to be the handle of a black pistol sticking out from his left shorts pocket.

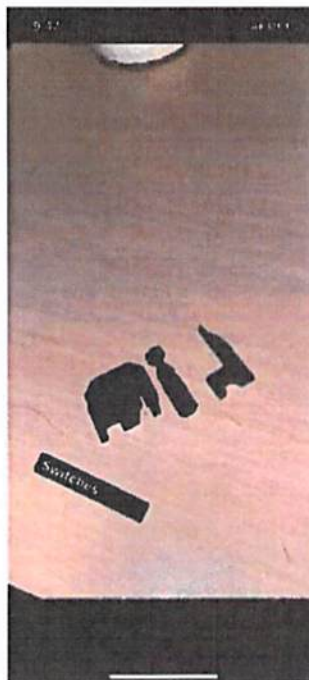


21. On October 17, 2021, a subject using Instagram username @dirty_faygo24 sent multiple photographs of a Sig Sauer, Model P365, 9mm pistol, bearing Serial No. 66B484887 to

JORDAN. JORDAN responded by saying "Ticcet." Based on my training and experience I know that subjects will ask what the "ticket" is on an item when asking how much it costs.



22. On January 8, 2022, Dmarco JORDAN, brother of Dequeta JORDAN, utilizing the Instagram username @mulagangsavoooo sent a photograph of a Glock conversion device to JORDAN. Dmarco JORDAN then sent a message stating "500." I believe Dmarco JORDAN was attempting to sell the Glock conversion device to JORDAN. I know that Glock conversion devices are used to give Glock Pistols the ability to be used as a machine gun and fire fully automatic.



23. On January 13, 2022, JORDAN was engaged in an exchange of messages with Dmarco JORDAN. JORDAN stated "It's flooky they dismissed it though for a m5 an that was a M1 with my gun in there."

24. I believe JORDAN was referring to Franklin County case 2021TRD134136 where JORDAN was issued citations for "No operators license" and "Tag violations." This case was dismissed on January 13, 2022. No firearm was recovered during this traffic stop.

C. Surveillance

25. On July 21, 2022, an ATF SA, an ATF TFO, and I conducted surveillance at 1352 E. Hudson St. Columbus, OH 43211, where I observed a Blue Chevrolet Malibu, believed to be

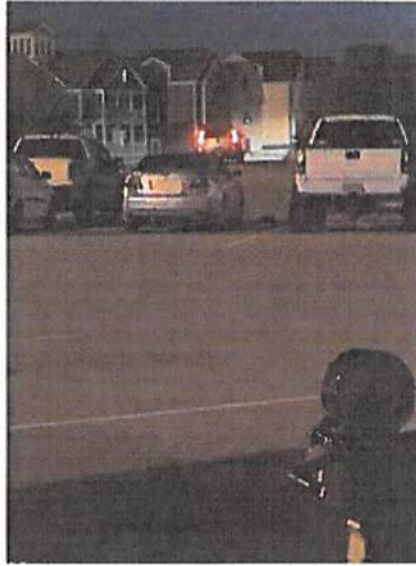
owned by JORDAN, parked at the rear of the residence. Additionally, I observed a Silver Toyota Camry, bearing no license plate at the rear of the residence.

26. I then observed the Silver Toyota Camry exit the alleyway and pull on to Medina Avenue. The vehicle was driven by an unknown B/F and surveillance was discontinued.

27. On July 22, 2022, I observed that JORDAN's phone was "pinging" in the area of Buckeye Lake, OH 43008. I then reviewed JORDAN's Instagram Story (@manman.loc.96) and observed that JORDAN appeared to be fishing on the shoreline of Buckeye Lake.



28. At approximately 9:23 PM I then relocated to the area of Crystal Beach, Buckeye Lake, OH 43008, where I observed the above-mentioned Silver Toyota Camry with no license plate in the parking lot.



29. Shortly after I observed JORDAN, and an unidentified B/F, appear to be fishing near Crystal Beach. Investigators recognize the above-stated cell phone “ping”, confirms JORDAN’s possession of the cellular device. Surveillance was discontinued.

30. On July 25, 2022, at approximately 2:00 PM, an ATF TFO travelled to 1352 E. Hudson St. Columbus, OH. At that time, I observed JORDAN’s cell phone “ping” to be in the area of 1352 E. Hudson St. Columbus, OH. Shortly after, the TFO observed JORDAN open the front door of his residence.

31. Investigators have since reviewed the GPS/E-911 data for the cellular device, obtained pursuant to the above-mentioned federal search warrant. This analysis showed that between the dates of July 18, 2022 9:09:21 pm through August 1, 2022 3:59:22pm, there were a total of 1,897 mappable GPS/E-911 data events. 1,653 of these mappable GPS/E-911 data events occurred within the approximate area of the SUBJECT PREMISES.

32. Additionally, I received information that JORDAN is named as the renter of the SUBJECT PREMISES on the lease. I queried OHLEG and learned JORDAN's home address is listed as SUBJECT PREMISES.

D. Federal Search Warrant

33. On August 3, 2022, at approximately 08:00AM ATF SAs and TFOs conducted a Federal Search Warrant at 1352 E. Hudson St. Columbus, OH. The Federal Search Warrant (2:22-MJ-531) was issued on August 2, 2022, at approximately 9:14AM by United States Magistrate Judge Elizabeth Preston Deavers. Two (2) firearms and ammunition were located. SAs observed suspected heroin, packaging materials, and a blender with white powder residue in it. SAs observed a large amount of U.S. Currency.

34. Title 21, United States Code, Section 841 makes it a Federal crime for any person to manufacture, distribute, or dispense, or possess with intent to manufacture, distribute or dispense a controlled substance. Subsection (b) of this section makes cocaine, cocaine base, heroin, N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] propanamide, commonly referred to as fentanyl, and any of their isomers, controlled substances.

35. During interview, post miranda, JORDAN stated both firearms located in the residence belong to him. JORDAN stated he sells approximately \$3,000.00 worth of heroin per month to pay his bills.

III. CONCLUSION

36. Based on the totality of the facts and circumstances described above, your affiant respectfully submits that probable cause exists that JORDAN, a convicted felon, did knowingly and intentionally possess a firearm and ammunition, said firearm and ammunition having travelled in interstate commerce, in violation of Title 18 U.S.C. § 922(g)(1) – Felon in Possession of a

Firearm or Ammunition. Furthermore, your affiant respectfully submits that probable cause exists that JORDAN did knowingly manufacture, distribute, or dispense, or possess with intent to manufacture, distribute or dispense a controlled substance in violation of Title 21, U.S.C., Section 841. Furthermore, you affiant respectfully submits that probable cause exists that evidence of 18 U.S.C. § 922(g)(1) including items listed in Attachment B, will be found at the SUBJECT PREMISES.

Respectfully submitted,

Cole Benner

Cole Benner, Special Agent
Bureau of Alcohol, Tobacco, Firearms and
Explosives

Sworn to before me and signed in my
presence and/or by reliable electronic means.

Elizabeth A. Preston Deavers
ELIZABETH A. PRESTON DEAVERS
UNITED STATES MAGISTRATE JUDGE



ATTACHMENT A

Places to be searched

1352 E. Hudson St. Columbus, OH 43211 is a two (2) story, multi-family duplex structure located on E. Hudson St. which lays east of Interstate 71 and west of Cleveland Ave. The residence has yellow siding with a small wooden porch leading to the front entrance. The front door is white in color. To the left of the front door is a silver mailbox affixed to the structure. Above the front door are the numbers "1352." Additionally, any vehicle located at 1352 E. Hudson St. Columbus, OH.



Attachment B

Items to be seized

1. **Firearms and ammunition to be held in violation of Title 18 U.S.C. § 922(g)(1).**
2. **Firearm parts, accessories, and items commonly used or associated with the possession of firearms, including conversion devices, ammunition, firearm magazines, and holsters.**
3. **Documents related to the purchases or transfer of firearms and ammunition.**
4. **Devices used to communicate with other individuals, including all stored electronic data on a cellular telephone assigned call number (614)352-1267.**
5. **Items of identification and records that establish dominion and control of the premises, including, state identification, residence keys, mail, envelopes, receipts for rent, bills, and photographs.**
6. **Illicit controlled substances**
7. **Books, records, notes, ledgers, and other papers relating to the transportation, purchase, distribution, packaging, and sale of controlled substances which may be maintained in either paper form or on computers;**
8. **Cash, currency, currency counters, financial instruments, and records relating to controlled substances, expenditure of proceeds of drug transactions, fraud and, and evidence of financial transactions relating to obtaining, transferring, secreting, or spending of large sums of money made from engaging in drug trafficking, and fraud;**